CP1002

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

W.P. (S) No. 916 /2007

PETITIONER : Smt. Sangeeta Aamde
W/o.- Shri Ashwani Aamde,
Aged about- 38 years
R/o.- Village Jhirouni, Tehsil Kawardha, District Kabirdham (C.G.)

F.R. No. 1143/07
Presented by Smt. Sangeeta
dated 8/12/07

VERSUS

RESPONDENTS

1. State of Chhattisgarh
Through - The Secretary
Department of Womens and Children Development, D.K.S. Bhawan, Raipur (C.G.)
2. The Collector,
Kawardha, Distt.- Kabirdham (C.G.)
3. The Project Officer,
Children Welfare Project,
Kawardha, Distt.- Kabirdham (C.G.)
4. Smt. Saraswati Bai Kaushik
W/o. Vinod Kumar Kaushik
R/o.- Village – Jhirouni,
Distt.- Kabirdham (C.G.)
5. Smt. Rukhmani Devi Manikpuri
D/o. Shri Sukritdas Manikpuri, R/o.- Village- Jhirouni, Distt.- Kabirdham (C.G.)

RECEIVED COPY
8/12/07
CLERK to A. G. BILASPUR

OATH COMMISSIONER
APARNA MALVIYA
08/12/07
Bilaspur Chhattisgarh

~~2~~

5

WRIT PETITION UNDER ARTICLE 226 OF

THE CONSTITUTION OF INDIA

(60)

HIGH COURT OF CHHATTISGARH AT BILASPUR

SINGLE BENCH : HON'BLE MR. SATISH K. AGNIHOTRI, J.

WRIT PETITION (S.) NO.916 OF 2007

Petitioner : Smt. Sangeeta Aamde

versus

Respondents : State of Chhattisgarh and others

Present : Mr. Ajit Singh, counsel for the petitioner.
Mr. Satish Gupta, Deputy Government Advocate for the State/respondents No.1 to 3.
None appears for respondents No.4 and 5.

ORDER

(Passed on 15th Day of February, 2007)

The petitioner is one of the candidates for appointment on the post of Anganbadi Worker at Anganbadi Centers Jhirouni No.1 and Jhirouni No.2, District Kabirdham. The petitioner has filed this petition challenging appointment of respondents No.4 and 5 at Anganbadi Centers Jhirouni No.1 and Jhirouni No.2, respectively, on the ground that the petitioner has passed Higher Secondary School Certificate Examination and she was working as Assistant Teacher in the Shishu Shiksha Kendra at Village Jhirouni since 1995. Respondents No.4 and 5 have lesser qualification, i.e., VIIIth Class pass.

2. The submission of learned counsel appearing for the petitioner on this point is noticed only to be rejected. With regard to the

qualification, the Anganbadi Scheme at Clause 2(1) clearly provides that a candidate, having Class VIIIth examination pass certificate, should be given priority. In the event, Class VIIIth examination passed lady candidate is not available, Higher Secondary School Certificate Examination passed lady candidate may be considered for appointment.

3. In the present case, admittedly, the petitioner is having Higher Secondary School Examination pass certificate and respondents No.4 and 5 are having Class VIIIth examination pass certificate. Accordingly, respondents No.4 and 5 have to be preferred. For experience of working as Assistant Teacher, there is no provision for preference. Accordingly, the appointment of respondents No.4 and 5 is legal and in accordance with the guidelines for appointment of the Anganbadi Workers.

4. For the reasons stated hereinabove, the writ petition is dismissed summarily. No order as to costs.

Sd/-
Satish K. Agnihotri
Judge

Gopal